THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.15337 of 2001

22.6.2007

Between:

Nimmala Nageswara Rao, S/o.Suryarao.

… Petitioner

and

Government of Andhra Pradesh,
And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.15337 of 2001

ORDER:

The land admeasuring Acs.4.30 cents in survey No.7/1 situated at 59-Kothurupadu village of Addateegala Mandal in East Godavari District, was assigned to one Peddireddi Pentamma, a non-tribal. The third respondent by proceedings dated 12.8.1997 cancelled the D-Form patta on the ground that the land in scheduled areas cannot be assigned to non-tribals. The petitioner, who is the maternal grandson of Pentamma, along with another, filed C.M.A.No.5 of 1999 before the second respondent and the same was dismissed on 03.3.1999. The petitioner then filed a revision before the Government and the same was dismissed in G.O.Ms.No.33, dated 19.3.2001.

The legal position that the land in Agency areas cannot be assigned to non-tribals and law prohibits such assignment is not denied. Admittedly the petitioner's grandmother is a non-tribal and, therefore, this Court finds fault with the orders passed by the authorities canceling D-Form patta issued to Peddireddi Pentamma.

The writ petition is devoid of merits and is accordingly dismissed. No costs.

June 22, 2007 (**V.V.S.RAO, J**)

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